

OCT 12 2005

## BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN LLP

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## FACSIMILE COVER SHEET

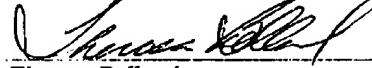
Deliver to: Joshua A. Kading, USPTO \_\_\_\_\_ Art Group: ..... 2661 \_\_\_\_\_  
 Facsimile No.: (571) 273-8300 \_\_\_\_\_ Date: October 12, 2005 \_\_\_\_\_  
 From: Vincent H. Anderson, Reg. No. 54,962 \_\_\_\_\_  
 Our Docket No.: 15685P042 \_\_\_\_\_ Number of pages 18 including this sheet.  
 Application No.: 09/919,683 \_\_\_\_\_ Filing Date: 7/31/2001 \_\_\_\_\_  
 Docket Due Date(s): 10/12/2005 \_\_\_\_\_

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: ..... ( .17 pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( ____ pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: ..... ( ____ pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet ( ____ pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of Facsimile _____	<input type="checkbox"/> Reply Brief ( ____ pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA ( ____ pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: ____ sheets, ____ figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion ( ____ pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( ____ pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Transmittal Letter

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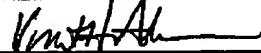
002

OCT 12 2005

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/919,683
		Filing Date	July 31, 2001
		First Named Inventor	Craig H. Barratt
		Art Unit	2661
		Examiner Name	Joshua A. Kading
Total Number of Pages in This Submission	17	Attorney Docket Number	15685P042

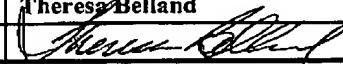
ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <div style="border: 1px solid black; height: 40px; width: 100%;"></div>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Vincent H. Anderson, Reg. No. 54,962  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 12, 2005

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## FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

0.00

## Complete If Known

Application Number	09/19,683
Filing Date	July 31, 2001
First Named Inventor	Craig H. Barratt
Examiner Name	Joshua A. Kading
Art Unit	2661
Attorney Docket No.	15685P042

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  None  Other (please identify): \_\_\_\_\_ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- |  |   |
|--|---|
| <input type="checkbox"/> Charge fee(s) indicated below                                     | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) | <input checked="" type="checkbox"/> Credit any overpayments                       |
| under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.   |   |

## FEE CALCULATION

## 1. EXTRA CLAIM FEES

Total Claims	55	57*	=	0	X	Fee from below	=	Fee Paid
Independent Claims	6	6*	=	0	X	200.00	=	\$0.00
Multiple Dependent								

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent claim, if not paid
1204	300	2204	150	*Reissue Independent claims over original patent
1205	300	2205	150	*Reissue claims in excess of 20 and over original patent
SUBTOTAL (1)		(\$)		0.00

\*or number previously paid, if greater. For Reissues, see below

## 2. ADDITIONAL FEES

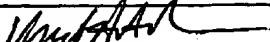
Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.
2063	130	2053	130	Non-English specification
1251	120	2251	60	Extension for reply within first month
1252	450	2252	226	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,590	2254	785	Extension for reply within fourth month
1255	2,180	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451		2451		Petition to Institute a public use proceeding
1460	130	2460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
1809	790	1909	385	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	790	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))
Other fee (specify)				
SUBTOTAL (2)		(\$)		

## Fee Paid

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Vincent H. Anderson	Registration No. (Attorney/Agent)	54,962	Telephone	(503) 439-8778
Signature				Date	10/12/05

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 12/15/2004.  
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<b>FEE TRANSMITTAL for FY 2005</b>		<b>Complete If Known</b>	
Patent fees are subject to annual revision.		Application Number	09/919,683
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	July 31, 2001
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	Craig H. Barratt
0.00		Examiner Name	Joshua A. Kading
		Art Unit	2661
		Attorney Docket No.	15685P042

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  None  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayment of fee(s)  Credit any overpayments  
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

**FEE CALCULATION****1. EXTRA CLAIM FEES**

		Extra Claims	Fee from below	Fee Paid
Total Claims	55	57* = 0	50.00	\$0.00
Independent Claims	6	6* = 0	200.00	\$0.00
Multiple Dependent				

Large Entity		Small Entity		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	50	2202	26	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent claim, if not paid
1204	300	2204	150	**Reissue independent claims over original patent
1205	300	2205	150	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (1)		(\$)		0.00

\*or number previously paid, if greater. For Reissues, see below

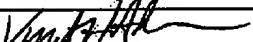
**2. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
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1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	260	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451		2451		Petition to Institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)		SUBTOTAL (2)		(\$)	

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Vincent H. Anderson	Registration No. (Attorney/Agent)	54,962	Telephone	(503) 439-8778
Signature				Date	10/12/05

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 12/15/2004.  
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Attorney Docket No.: 015685.P042

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
Barratt et al. ) Examiner: Joshua A Kading  
Application No: 09/919,683 ) Art Unit: 2661  
Filed: July 31, 2001 )  
For: RESOURCE ALLOCATION IN A )  
WIRELESS NETWORK )

**Mail Stop Amendment**  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE TO OFFICE ACTION

In response to the Office Action mailed July 12, 2005, Applicants respectfully request reconsideration of the above-referenced U.S. Patent application in light of the following.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 12 of this paper.

**Conclusion** begins on page 13 of this paper.